

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1632 - SB 1626

January 31, 2020

SUMMARY OF ORIGINAL BILL: Expands the methods by which a custodian of public records may provide certain required responses to requestors. Deletes a reference to the governing body of a municipality and replaces it with a reference to the nonprofit or association as it relates to annual audits of the financial affairs of such organization.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (013632): Deletes and replaces language of the original bill such that the changes would (1) authorize, instead of require, the Comptroller of the Treasury to appoint a certified public accountant or direct the Department of Audit to prepare certain audits and (2) move the statutory placement of language added by the original bill.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Tennessee Code Annotated § 10-7-503(a)(2)(B)(iii) provides that if a custodian of public records is not able to provide the requested records promptly, the custodian is required to complete a Public Record Request Response Form, as provided by the Office of Open Records Counsel, stating the time reasonably necessary to produce the requested information, and provide such form to the requestor.
- The proposed legislation authorizes custodians to provide such information in writing to the requestor.
- Authorizing such information to be provided in writing will not result in any significant fiscal impact to state or local government.
- Replacing a reference to the governing body of a municipality with a reference to the nonprofit or association will not result in a significant fiscal impact to state or local government as the cost of audits are paid by the nonprofit or organization.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jrh